

TO: PASRR Stakeholders
FROM: The OBRA Office
RE: PASRR 1135 Waiver

Hello All,

Alabama has experienced many new and ongoing challenges because of the COVID-19 National Public Health Emergency. As many of you are aware, under a Presidential Declaration, states can apply for certain regulatory flexibilities. One of the flexibilities we applied for was the PASRR 1135 Waiver. This waiver allows nursing facilities to delay PASRR screening for up to 30 days for needs related to COVID-19. It is significant to note that this waiver is an option and not a requirement. For example, at this juncture, some nursing homes require that applicants have a Level I Screening and Determination completed prior to admission. Conversely, other nursing homes allow waiver admissions for COVID related needs. Both options are acceptable. During this waiver period, nursing homes have the discretion to decide whether preadmission screening is required for their facility.

Please be mindful that the 1135 Waiver still addresses needs that are related to COVID-19. In other words, it is not to be used to circumvent the PASRR process simply because a facility does not want to wait for the completion of a Level II Evaluation. Earlier in the state's COVID journey, things were especially daunting with so many unknowns and so many COVID tragedies. During these times, the use of the Waiver was not in question, partly because of the extreme and incessant COVID circumstances. More currently, we still have COVID challenges; but we have fluctuations in some areas. Therefore, we want to take this opportunity to ensure that all nursing homes are aware of and complying with the below guidance. Our hope is to prevent or minimize possible PASRR Non-Compliance items.

1. You must complete a Level I Screening Form before or by the 30th day on all persons who enter your nursing facility under the PASRR 1135 Waiver and will stay longer than the time sensitive 30-Day waiver period.
2. When persons enter your facility under the PASRR 1135 Waiver and stay 30 days or less, a Level I Screening submission is not required. But, the admission date, discharge date, location & (deceased date, if applicable) must be listed on the 1135 Tracking Report.
3. Place all persons who enter your facility under the Waiver on the 1135 Tracking Report. This includes persons who stay less than 30 days and those who stay past the 30-day period. We have a copy of the 1135 Tracking Report & 1135 examples on our website.
4. Persons who are currently a danger to self or others (e.g., suicidal, homicidal, etc.) are not eligible for the PASRR Waiver and would require a Level I Screening & Determination prior to admission.
5. The 1135 Waiver's purpose is to help address needs related to the COVID-19 Public Health Emergency. It is not a tool to circumvent the PASRR regulatory requirements.

As always, if you have PASRR questions, please do not hesitate to contact our office at 1-800-548-2188.

Have a safe and wonderful 2022.

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